

REMARKS

The Applicant appreciates the courteous and complete examination of the application by the Examiner. In view of the foregoing amendments and the following remarks, a reconsideration of the instant application is respectfully requested.

The Examiner objects to the drawings as failing to comply with 37 CFR 1.84(p)(5) because they include the following references character(s) not mentioned in the description: 22 (visible in Figure 2) and 31 (visible in Figure 3b). A replacement drawing sheet is submitted deleting reference characters 22 and 31, and in compliance with 37 CFR 1.121(d).

The Examiner objects to claim 1 as being an automated translation of the French priority claim and lacks grammatical consistency. Additionally, the Examiner rejects claim 1 under 35 U.S.C. 112 second paragraph. Lastly, the Examiner rejects claim 1 under 35 U.S.C. 103(a) as being unpatentable over Moreillon in view of Luhman. The newly added claims 2-17 incorporate subject matter from the specification which more clearly points out the patentable differences between the above claimed invention and the Moreillon and Luhman patents. The Moreillon and Luhman patents do not show a teaching of the structural elements and their associated functions as compared to the above claimed invention as a combination.

In order to expedite the prosecution of this application, claim 1 has been canceled without prejudice or disclaimer of the subject matter thereof. New claims 2-17 have been added to more definitely point out and distinctly claim the subject matter which applicant regards as the invention, and to overcome the 35 U.S.C. 112 second paragraph and 35 U.S.C. 103(a) rejections.

The Applicant requests that the Examiner reconsiders his rejections of the invention in view of the well established principle that small differences in a crowded art can constitute patentable improvement. See In re Baum, 51 USPQ 470 (CCPA 1941) and In re Lange, 126 USPQ 365 (CCPA 1960). In

considering this principle, the Applicant would also request that the Examiner take note to the court decision which notes that "apparent simplicity has been held to furnish strong argument for patentability where, as here, a need has existed for a structure of the nature disclosed and claimed. The fact that a solution to a problem is simple, or appears to be simple when viewed in retrospect, does not mean that the solution was obvious when it was conceived." See Ellipse corp. v. Ford Motor Co., 171 USPQ 513.

With the above amendments being fully responsive to all outstanding rejections and formal requirements, it is respectfully submitted that the claims are now in condition for allowance, and a notice to that effect is earnestly solicited. Should the Examiner feel that there are further issues which might be resolved by means of telephone interview, the Examiner is cordially invited to telephone the undersigned at 727-345-1450.

Respectfully Submitted,



David A. Guerra, Reg. 46,443

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

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On (Date) 07/29/2005 by David A. Guerra,



AMENDMENTS TO THE DRAWINGS:

Please replace the drawing sheet containing Figures 2 and 3(a), (b) and (c), with the following replacement sheet.